

**ERIE COUNTY LEGISLATURE
MEETING NO. 13
JULY 13, 2017**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Miller-Williams, who led a short prayer.

The Pledge of Allegiance was led by Ms. Grant.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 12 from 2017. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. BURKE presented a resolution Showing Support for the Miles for Smiles Event Hosted by Women and Children's Hospital to Raise Cleft & Craniofacial Awareness in Erie County.

Item 6 – MR. LORIGO, MR. MILLS, MS. DIXON, MR. HARDWICK, MR. MORTON & MR. RATH presented a resolution Celebrating the Centennial Anniversary of the Lions Clubs International and Acknowledging their 100 Years of Humanitarian Service Throughout the World.

Item 7 – MR. HARDWICK presented a resolution Congratulating Matthew Glen Sternin, Boy Scout Troop 286, on Attaining the Rank of Eagle Scout.

MR. LORIGO moved for consideration of the above three items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above three items to include one miscellaneous resolution from MR. MORTON, and to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above four items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 8 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 9 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 10 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 5 (Print #2) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 18 – MR. LORIGO moved to take Local Law No. 9 (Print #1) 2017 off the table. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 147

LOCAL LAW TO BE ENACTED BY
THE ERIE COUNTY LEGISLATURE
IN THE
COUNTY OF ERIE

LOCAL LAW INTRO. – NO. 9-1 - 2017

LOCAL LAW – NO. _____ - 2017

A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to the adjustment of job qualifications for the Erie County Commissioner of Public Works.

SECTION 1. Legislative Findings

The Erie County Legislature hereby finds that, after a diligent search to fill the vacant position of Commissioner of Public Works, the Erie County Executive has been unable to identify a candidate who holds a degree in professional engineering and is otherwise qualified for the position. The Legislature further finds that the position of Commissioner of Public Works is largely a management position and that the duties and responsibilities of such position do not necessarily require licensure as a professional engineer. The Legislature further finds that there are, and will continue to be, multiple employees of the Department of Public Works who are required by civil service law to be licensed in professional engineering and that these employees will continue to perform those duties for the Department which require the holding of such license.

SECTION 2. Legislative Intent

The Legislature has considered all relevant information and input and does hereby determine that Article 11 Section 1101 of the Erie County Charter shall be amended to remove the requirement that the Commissioner of the Department of Public Works be a professional engineer licensed and registered by the state of New York.

SECTION 3. Amendment

Article 11 - Department of Public Works - Charter

Section 1101. Department of public works; commissioner; qualifications. There shall be a department of public works headed by a commissioner. He or she shall be appointed by the county executive, subject to confirmation by the county legislature and shall [be a professional engineer licensed and registered by the state of New York] have the responsibility for directing the operation of the Department of Public Works in all of its divisions. The Commissioner of Public Works, along with his or her staff of professional engineers, is responsible for providing advice on all matters related to public works.

SECTION 4. Sunset

Section 3 of this Local Law which amends the Erie County Charter to remove the requirement that the Commissioner of Public Works hold a license in professional engineering shall be deemed automatically repealed and shall have no force or effect on or after December 31, 2017. After such repeal, Erie County Charter Section 1101 shall revert back to the form and provisions contained therein prior to the effective date of this Local Law.

SECTION 5. Incumbent Commissioner and Survival

Should the incumbent Commissioner of Public Works not hold a license in professional engineering at the time of repeal as contemplated above, he/she shall not be removed from such position on the sole basis that he/she no longer satisfies the requirements then contained in the Erie County Charter as reverted to after repeal. Notwithstanding the reversion, such individual shall be deemed to remain qualified to hold such position until a different Commissioner of Public Works is appointed pursuant to Erie County Charter Section 307. The provisions of this Section 5 shall survive the repeal contemplated in Section 4 above and will remain in full force and effect after such repeal date.

SECTION 6. Effective Date

This Local Law shall take effect upon filing with the Secretary of State.

SECTION 7. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Sponsor: Legislator Kevin Hardwick

Co-Sponsors: Legislator Savage

Additions to the Erie County Charter are reflected by underlining.
Deletions to the Erie County Charter are reflected by [brackets].

MR. LORIGO moved to approve Local Law No. 9 (Print #1) 2017. MS. DIXON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

Item 19 – CHAIR MILLS directed that Local Law No. 11 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 21 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 148

July 6, 2017	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9M-10 (2017)
ERIE COMMUNITY COLLEGE: “2017-2018 ECC Budget”
(Chair’s Motion)
 - b. COMM. 11M-1 (2017)
JOEL A. GIAMBRA: “Letter to Chair of SUNY Board of Trustees Regarding Possible Consolidation of Erie and Niagara County Community Colleges”
(Chair’s Motion)

KEVIN R. HARDWICK
CHAIR

Item 22 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

July 6, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 11E-7 (2017)
COUNTY EXECUTIVE: “Belscher Rd Slide Remediation Program - Engineering Services for Design & Construction Phases - Town of Concord”
(Chair’s Motion)

2. COMM. 9E-10 (2017)
COUNTY EXECUTIVE
WHEREAS, recent events across the nation and world have shown that heightened awareness and security is necessary in order to protect the public and public assets; and

WHEREAS, the Department of Public Works, working in conjunction with the Office of Sheriff, has been evaluating the security of the Rath County Office Building; and

WHEREAS, the security review has determined that additional security measures are necessary to secure the building, its occupants and visitors; and

WHEREAS, the Erie County Department of Public Works received bids for the Rath Building-Entrance Security Improvements project on March 8, 2017; and

WHEREAS, the Erie County Department of Public Works is recommending the award of a contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder, Galbo Construction, Inc., for an amount not to exceed \$158,116 for the Rath Building-Entrance Security Improvements; and be it further

RESOLVED, that the sum of \$20,000 be allocated to the Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the Rath Building, Entrance Security Improvements project from BA122, Fund 410, SAP Account A.16077-Rath Building Security, for an amount not to exceed \$178,116; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

3. COMM. 12E-8 (2017)

COUNTY EXECUTIVE

WHEREAS, construction of the federal aid Elmwood Avenue Pedestrian & Bicycle Improvements Project, Project No. TAP-119-17, PIN 5761.03 (the "Project") is currently ongoing along Elmwood Avenue; and

WHEREAS, a safety concern has been raised by the Village of Kenmore regarding the location of a crosswalk on Elmwood Avenue; and

WHEREAS, upon investigation it was deemed appropriate to relocate the crosswalk; and

WHEREAS, the scope of the Project was already set and it is not possible to include the crosswalk relocation in the scope of the Project; and

WHEREAS, it is desired to proceed with the crosswalk relocation; and

WHEREAS, to properly relocate the crosswalk design engineering services are required; and

WHEREAS, DiDonato Associates is already under contract for engineering services for the design and construction phases of the Elmwood Avenue Pedestrian & Bicycle Improvements Project; and

WHEREAS, it is desired to execute an amendment to DiDonato Associates current contract for design engineering services for the crosswalk relocation as a 100% County funded share; and

WHEREAS, it is estimated that the cost of the required design engineering services will not exceed \$9,950; and

WHEREAS, CATCO is already under contract for the construction of the Project which is currently in progress; and

WHEREAS, it is desired to negotiate and execute a change order to CATCO's current contract for the construction of the Project for the relocation of the crosswalk; and

WHEREAS, it is estimated that the construction cost of the crosswalk relocation will not exceed \$70,000.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, fund 420, BA 123, SAP B.16002 (2016 Preservation of Roads Design (Countywide)) in a not to exceed amount of \$9,950 be made available for the required design engineering services; and be it further

RESOLVED, that the County Executive be authorized to execute an amendment to DiDonato Associates current contract for the Project as a 100% County funded share for the design engineering services required for the crosswalk relocation in a not to exceed amount of \$9,950; and be it further

RESOLVED, the following authorized project funds, fund 420, BA 123, SAP B.16050 in a not to exceed amount of \$70,000 be made available for the construction of the relocation of the crosswalk; and be it further

RESOLVED, that the County Executive be authorized to negotiate and execute a change order to CATCO's current construction contract for the Project for a 100% County funded share for the construction of the crosswalk relocation in an amount not to exceed \$70,000; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget and Management, and the Office of the Comptroller.

(6-0)

4. COMM. 12E-9 (2017)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Rath Building – 6th Floor Employee Fitness Center – Men and Woman's Locker Rooms on June 1, 2017; and

WHEREAS, the Erie County Department of Public Works is recommending award of the contract to the lowest bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Rath Building – 6th Floor Employee Fitness Center – Men & Women's Locker Room, Northern Dreams Construction Inc., for an amount not to exceed \$125,800; and be further

RESOLVED, that the sum of \$20,000 be allocated to the Construction Contingency fund with authorization for the County Executive, to approve change orders in an amount not to exceed Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the following SAP project accounts, Fund 410, BA 122:

A.17004 - 2017- Code & Environmental Compliance	\$ 72,900
A.17006 - 2017- Mechanical, Electrical, Plumbing & Misc Improvements	\$ 72,900
For a Total Amount Not To Exceed	\$145,800

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management.

(6-0)

5. COMM. 12E-10 (2017)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works received bids for the Erie County Correctional Facility – 2015 Parking Lot and Access Road Reconstruction- Phase II project on June 2, 2017; and

WHEREAS, the Erie County Department of Public Works, along with the A/E firm Liro Engineers, are recommending award of the construction contract to the lowest responsible bidder; and

WHEREAS, the Erie County Department of Public Works received A/E professional design proposals for Erie County Correctional facility – 2015 Parking Lot and Access Roads Reconstruction on June 11, 2015; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to Liro Engineers for providing design, construction documents, and construction administration services for Erie County Correctional facility – 2015 Parking Lot and Access Roads Reconstruction – Phase II project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for Erie County Correctional facility – 2015 Parking Lot and Access Roads Reconstruction – Phase II project for an amount not to exceed as follows:

General Construction Work:

Anastasi Trucking and Paving Co.	Base Bid	\$ 81,325.00
	Alternate #1	\$ 25,452.00
	Alternate #2	\$ 8,513.00
	Alternate #3	\$ 12,100.00
Total Construction Contract not to exceed:		\$127,390.00

;and be it further

RESOLVED, that the sum of \$57,717.35 from SAP project account A.15029 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that any deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to Liro Engineers for providing professional A/E design, construction documents and construction administration services for Erie County Correctional facility – 2015 Parking Lot and Access Roads Reconstruction – Phase II project, including a design contingency and reimbursable costs for an amount not to exceed \$30,000.00; and be it further

RESOLVED, that the Comptroller’s office be authorized to make payment for all the above from SAP Project Account A.15029 – Sheriff Correctional Facility Parking Lot, for an amount not to exceed \$215,107.35; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Commissioners of Elections, and the Office of the Comptroller.

(6-0)

JOSEPH C. LORIGO
CHAIR

Item 23 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 150

July 6, 2017	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 12D-7 (2017)
DEPARTMENT OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending Apr. 30, 2017”
(Chair’s Motion)
 - b. COMM. 12M-4 (2017)

TOWN OF LANCASTER: "Town Resolution Regarding Request to Amend Sections of the EC Tax Act"
(Chair's Motion)

2. COMM. 3D-6 (2017)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 217086 through 217096, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2017	Petition No.	217,086.00
	ASSESSOR	Cancel	\$426.34
S-B-L	114.08-7-24	21 Keicher Rd 143003 DEPEW	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$426.34 Town/SpecialDist/School
<u>Charge To :</u>	143003 DEPEW		\$426.34
	Relevy Village		\$426.34 Village of DEPEW
RPTL550(2): Failed to apply exemption New tax bill to be issued			

FISCAL YEAR	2016	Petition No.	217,087.00
	ASSESSOR	Refund	\$1,098.37
S-B-L	203.00-1-23	12401 Warner Hill 146600 WALES	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,098.37 Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$1,098.37
	Relevy School		\$1,098.37
RPTL550(2): Failed to apply exemption Refund to be issued to Casey Zielinski			

FISCAL YEAR	2017	Petition No.	217,088.00
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ASSESSOR Refund \$19,147.46
S-B-L 82.03-4-2 6700 Transit Rd 143089 CHEEKTOWAGA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$19,147.46 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$19,147.46

RPTL550(2): Incorrect special district charge
Refund to be issued WD Associates LP

FISCAL YEAR 2014 Petition No. 217,089.00

ASSESSOR Refund \$0.00
S-B-L 66.77-7-2 292 Tremont Ave 146401 KENMORE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 146401 KENMORE \$0.00

RPTL550(2): Failed to apply exemption
Refund to be issued to Daniel and Judith Gibson

FISCAL YEAR 2015 Petition No. 217,090.00

ASSESSOR Refund \$160.92
S-B-L 66.77-7-2 292 Tremont Ave 146401 KENMORE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$160.92 Town/SpecialDist/School
Charge To : 146401 KENMORE \$160.92

Relevy Village \$160.92 Village of KENMORE
RPTL550(2): Failed to apply exemption
Refund to be issued to Daniel and Judith Gibson

FISCAL YEAR 2016 Petition No. 217,091.00

ASSESSOR Refund \$162.94
S-B-L 66.77-7-2 292 Tremont Ave 146401 KENMORE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$162.94 Town/SpecialDist/School

Charge To : 146401 KENMORE \$162.94
Relevy Village \$162.94 Village of KENMORE
RPTL550(2): Failed to apply exemption
Refund to be issued to Daniel and Judith Gibson

FISCAL YEAR 2017 Petition No. 217,092.00

ASSESSOR Cancel \$379.15
S-B-L 103.16-2-40 111 Chateau Ct 143003 DEPEW

Acct. No. 112 \$0.00 County
Acct. No. 132 \$379.15 Town/SpecialDist/School
Charge To : 143003 DEPEW \$379.15

Relevy Village \$379.15 Village of DEPEW
RPTL550(2): Failed to apply exemption
New tax bill to be issued

FISCAL YEAR 2017 Petition No. 217,093.00

ASSESSOR Refund \$79.46
S-B-L 306.00-2-17 38 N Edgewood Dr 143889 CONCORD

Acct. No. 112 \$47.09 County
Acct. No. 132 \$32.37 Town/SpecialDist/School
38019 CONCORD FIRE PROTECT \$14.20
Charge To : 143889 CONCORD \$18.17

RPTL550(3): Incorrect acreage
Refund to be issued to Bryan and Jenny Wells

FISCAL YEAR 2017 Petition No. 217,094.00

ASSESSOR Refund \$1,342.88
S-B-L 144.14-6-1 97 John Alex Dr 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,342.88 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$1,342.88

RPTL550(2): Incorrect special district charge
Refund to be issued to Patrick Breen Jr.

FISCAL YEAR 2016 Petition No. 217,095.00

 ASSESSOR Refund \$959.00

S-B-L 123.3-9-16 27 Shanley St 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$959.00 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$959.00

 Relevy School \$959.00

RPTL550(2): Failed to apply exemption
Refund to be issued to Carrie Costello

FISCAL YEAR 2017 Petition No. 217,096.00

 ASSESSOR Refund \$1,085.18

S-B-L 80.10-10-16 7 Avalon Dr 142289 AMHERST

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$1,085.18 Town/SpecialDist/School

Charge To : 142289 AMHERST \$1,085.18

RPTL550(2): Incorrect special district
Refund to be issued to Steven Abrams

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(6-0)

JOSEPH C. LORIGO
CHAIR

Item 24 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 151

July 6, 2017	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 12E-12 (2017)
COUNTY EXECUTIVE

WHEREAS, the County of Erie is bound to fulfill the terms of the United States Environmental Protection Agency "Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010, Final Rule, 40 CRD 60 Subparts MMMM" in Erie County Sewer District 3; and

WHEREAS, the additional regulatory requirements include reporting that was not previously necessary for Erie County Sewer District No. 3; and

WHEREAS, the Erie County Department of Environment and Planning has received a proposal for additional consulting services by GHD Consulting Services, Inc. (GHD) to prepare compliance reports for an amount not to exceed \$38,700; and

WHEREAS, GHD is already performing consulting services pertaining to the sewage sludge incinerators at Southtowns AWTF but a change order would be necessary for the additional services; and

WHEREAS, there are adequate cash reserves in Erie County Sewer District No. 3 Capital Reserve Account C.00007.

NOW, THEREFORE, BE IT,

RESOLVED, that this Honorable Body approves the use of capital reserves for additional professional services associated with the Southtowns AWTF sewage sludge incinerators; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer \$40,000.00 from Erie County Sewer District No. 3 Capital Reserve Account C.00007 to Sewer District No. 3 Capital Account C.14301 and establish the budgets necessary to facilitate the transfer and fund a change order with GHD; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to increase the allocation in Erie County Sewer District No. 3 Capital Account C.14301 for this project by \$40,000.00; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

2. COMM. 12E-13 (2017)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinating, overseeing, and conducting work towards the creation of a Regional Niagara River Lake Erie Watershed Management Plan Phase 2; and

WHEREAS, the New York State Department of State (NYSDOS) provides grant assistance to municipalities to prepare watershed revitalization plans; and

WHEREAS, the NYSDOS awarded Erie County a \$507,830 grant (SAP Grant Account #162RNRLEWMP1417) to complete the “Regional Niagara River Lake Erie Watershed Management Plan Phase 2” project; and

WHEREAS, the project has not yet been completed and the funding has not yet been expended, necessitating the execution of a no-cost extension to the contract with the NYSDOS.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the necessary agreements to extend the “Regional Niagara River Lake Erie Watershed Management Plan Phase 2” grant contract, 162RNRLEWMP1417, for one year (July 1, 2017 –June 30, 2018); and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Bonnie L. Lawrence, Deputy Commissioner of Environment and Planning; and Peter J. Wilson, Coordinator – Pollution Prevention Program.

(6-0)

3. COMM. 12E-14 (2017)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides technical assistance to municipalities to assist them in complying with environmental regulations; and

WHEREAS, the State of New York, through its Department of Environmental Conservation, provides financial aid for stormwater compliance assistance projects of which Erie County was granted \$417,228 to commence the WNY Stormwater Coalition (WNYSC): Newly Designated Urbanized Area Project; and

WHEREAS, the Planner – Geographic Information Systems position (JG-11) on the project was recently vacated and will be deleted from the grant; and

WHEREAS, the WNYSC unanimously voted at its April 12, 2017 meeting to approve the promotion of the Junior Environmental Compliance Specialist (JG-7) grant funded position to an Environmental Compliance Specialist (JG-9) due to an increase in responsibilities; and

WHEREAS, the Environmental Compliance Specialist (JG-9) promotion will not impact the county budget as it will be paid for by grant funding from the New York State Department of Environmental Conservation grant entitled, “WNYSC: Newly Designated Urbanized Area Project” – grant 162WNYSCNDUAP1518.

NOW, THEREFORE, BE IT

RESOLVED, that the following adjustments be made to the positions in grant 162WNYSCNDUAP1518, for which sufficient New York State Department of Environmental Conservation grant funding for personal services and fringe benefits exists:

B-100 No. 9431:

Add: Environmental Compliance Specialist (JG-9) position
Budgeted Annual Salary: \$42,400

Delete: Junior Environmental Compliance Specialist (JG-7)
Budgeted Annual Salary: \$36,502

Delete: Planner – Geographic Information Systems (JG 11)
Budgeted Annual Salary: \$58,594

;and be it further

RESOLVED, that the current Junior Environmental Compliance Specialist will be provisionally promoted to the position of Environmental Compliance Specialist (JG-9); and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget amendments as required to comply with federal, state and other local source funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive’s Office; the Comptroller’s Office; the Director of the Division of Budget and Management; the County Attorney; Thomas R. Hersey, Jr., Commissioner of the Department of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of the Division of Environmental Compliance Services.

(6-0)

**TED B. MORTON
CHAIR**

Item 25 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 152

July 6, 2017	PUBLIC SAFETY COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 12E-16 (2017)
COUNTY EXECUTIVE

WHEREAS, New York State Division of Homeland Security and Emergency Services (NYS DHSES) has awarded \$15,000.00 to the Erie County Sheriff's Office in funding specifically allocated for an explosive detection canine and vehicle equipment for the canine; and

WHEREAS, there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the New York State Division of Homeland Security and Emergency Services to receive \$15,000.00 in grant funding for the Erie County Sheriff's Office; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Sheriff's Office
FY2016 Canine Explosive Grant

<u>ACCOUNT #</u>	<u>INCREASE</u>
414000 - Federal Revenue	\$ 15,000.00

<u>ACCOUNT #</u>	<u>INCREASE</u>
561410 - Lab & Technical Equipment	\$ 4,900.00
530000 - Other Expenses	\$ 10,100.00

; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Erie County Executive, Division of Budget and Management, Purchasing Department, the County Attorney's office, Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.

(6-0)

2. COMM. 12E-17 (2017)

COUNTY EXECUTIVE

WHEREAS, School Resource Officers (SRO) are vital to the safety of students, teachers, and staff, in that SRO promote a safe environment in schools so the focus can be on instruction; and

WHEREAS, SRO serve a multifaceted purpose in our schools including serving as first responders for incident that occur on school campuses; and

WHEREAS, over the past few years the Erie County Sheriff's Office has entered into agreements with the Alden and Holland, North Collins and Springville school districts, to include SROs in their budgets, such that none of the districts can employ an SRO on their campuses; and

WHEREAS, New York State Senator Patrick Gallivan, has secured an additional one hundred ten thousand dollar (\$110,000.00) to fund an SRO position for the Alden and Holland central school districts for the 2017/2018 school year; and

WHEREAS, this new funding and agreement requires authorization to create a new SRO specifically designated for the Alden and Holland schools; and

WHEREAS, the new SRO position will allow the SRO assigned to the Alden, Holland, North Collins and Springville school districts to dedicate their attention to North Collins and Springville schools, therefore increasing the time each SRO can dedicate to the assigned districts; and

WHEREAS, pursuant to the terms of the special legislative grant, Alden and Holland central school district boards shall serve as the contract coordinator for administrative purposes; and

WHEREAS, the Sheriff has conferred with the districts, and has agreed to provide and assign one uniformed Deputy to be shared among the districts as an SRO for the 2017/2018 school year; and

WHEREAS, it is the intent of all parties that the districts will incur any additional expense for the Sheriff's provision of the uniformed Deputy Officer beyond the funds provided by the legislative initiative grant Senator Gallivan's office; and

WHEREAS, the Alden and Holland school districts and the County, acting through the Erie County Sheriff's Office, desire to outlined in this agreement, the specific terms and conditions of the services to be performed and provided by the Deputy as SRO in the districts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with the Alden Central School District and the Holland Central School District for one (1) SRO Deputy Officer and to receive funding in the amount \$110,000.00 for said position which will be shared among Alden and Holland school districts; and be it further

RESOLVED, this agreement is for the period of September 1, 2017, through June 30, 2018; and be it further

RESOLVED, Alden Central School District and the Holland Central School District will compensate the Erie County Sheriff's Office utilizing the aforementioned legislative initiative grant for the position of an SRO for the 2017/2018 school year; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Office of the Comptroller, the County Attorney, the Personnel Department, and the Office of the Sheriff.
(6-0)

EDWARD A. RATH III
CHAIR

LEGISLATOR RESOLUTIONS

Item 26 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 13-1 from LEGISLATOR BURKE. Showing Support for the 21,000 AT&T Wireless Employees Represented by the Communication Workers of America Fighting for a New Union Contract.

Item 27 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 13-2 from LEGISLATOR BURKE. Calling on Albany to Stop Siding with Lobbyists and Allow Municipalities to Regulate Pesticide Usage.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 28 – MR. HARDWICK moved to discharge the COMMUNITY ENRICHMENT COMMITTEE of further consideration of COMM. 12E-7. MR. SAVAGE seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MR. HARDWICK, CHAIR MILLS and MR. MORTON. NOES: MS. DIXON, MR. LORIGO and MR. RATH. (AYES: 8; NOES: 3)

CARRIED.

RESOLUTION NO. 153

RE: ECC - Authorization to Enter into
Contract with Workday for Software
Implementation
(COMM. 12E-7, 2017)

WHEREAS, the Erie Community College Board of Trustees has approved Workday as a vendor following a request for proposal process; and

WHEREAS, Workday was chosen as the source for Enterprise Resource Planning software providing administrative functions supporting Human Resources, Payroll, Finance and Student Services; and

WHEREAS, it is requested that Workday be approved for this multi-year project. The 2017-18 total project cost is \$2,421,721 which includes subscription costs, implementation costs and staffing costs; and

WHEREAS, the Erie County Legislature must approve contracts in excess of \$50,000 for the College; and

WHEREAS, Erie Community College has adequate funds available to fund this expense;

NOW, THEREFORE BE IT

RESOLVED, that Erie Community College is hereby authorized to obtain the Erie County Legislature's approval to award a contract to Workday; and be it further

RESOLVED, that the source of funds available to pay for this expense is available in ECC's fund balance accounts and is hereby authorized for expenditure by ECC's Board of Trustees; and

RESOLVED, upon approval of this expenditure by the Erie County Legislature, the President of Erie Community College or his designee, is authorized to enter into a contract with Workday as outlined above; and be it further

RESOLVED, that the Erie County Legislature hereby approves awarding a contract to Workday for the purpose of implementing an Enterprise Resource Planning system for all major administrative functions that include: Human Resources, Payroll, Finance, Admissions, Financial Aid, Registration, and all other student services; and be it further

RESOLVED, the President or his designee is authorized to enter a contract with Workday for the above-mentioned services; and be it further

RESOLVED, that copies of the resolution be forwarded to the Erie County Executive, the President of ECC, and the Chairman of the ECC Board of Trustees.

MR. LORIGO moved to send the item to committee for further consideration. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. LORIGO and MR. RATH. NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MR. HARDWICK, CHAIR MILLS and MR. MORTON. (AYES: 3; NOES: 8)

FAILED.

MR. HARDWICK moved to approve the item. MR. SAVAGE seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MR. HARDWICK, CHAIR MILLS and MR. MORTON. NOES: MS. DIXON, MR. LORIGO and MR. RATH. (AYES: 8; NOES: 3)

CARRIED.

Item 29 – MR. LORIGO moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of INTRO. 12-6. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 154

RE: Review of Measures Taken to Combat
Opioid Crisis
(INTRO. 12-6, 2017)

MR. LORIGO moved to amend the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Insert the Following Text:

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR RATH**

WHEREAS, Erie County is in the midst of an epidemic of drug abuse that has seen the death toll from opioid addiction rise to several hundred per year; and

WHEREAS, the Erie County Legislature has reacted to the crisis pursuant to suggestions from the private sector, the Erie County Health Department, education, law enforcement, and concerned citizens; and

WHEREAS, this honorable body has invested tax dollars and supported measures to address both pre-addiction and post-addiction needs including new positions, increased funding for education programs, the purchase of additional life-saving treatments, and the creation of an opioid addiction hotline; and

WHEREAS, it is the responsibility of this body to both monitor and assess the investment and progress of these efforts to combat opioid addiction.

NOW, THEREFORE, BE IT

RESOLVED, that representatives from the Department of Health, the Sheriff's Office, and the Medical Examiner's Office prepare a report to be submitted to the Legislature for the November 16, 2017 session, providing a summative evaluation regarding all measures taken in combatting the opioid crisis, including: whether the requested new positions are filled, when the positions were filled, impact these new positions are having, and in general what outcomes have been realized through this County investment; and, be it further

RESOLVED, that the Clerk of the Erie County Legislature is hereby directed to send certified copies of this resolution to the Erie County Executive, the Office of the Erie County Sheriff, the Department of Health, the Medical Examiner's Office, and any other party deemed necessary and proper.

MR. LORIGO moved to approve the item as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 30 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 13-3 from LEGISLATOR MILLER-WILLIAMS. Re: Reorganization of First District Legislative Office Personal Services Budget

RESOLUTION NO. 155

A RESOLUTION TO BE SUBMITTED BY LEGISLATOR MILLER-WILLIAMS

WHEREAS, in order to better serve the residents of the First District of the Erie County Legislature, a reorganization is necessary of the Legislature's district office personal services budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby make the following technical budget adjustments to the Legislature's 2017 Adopted Departmental Budget, all of which can be effectuated while keeping within the Legislature's Adopted appropriation for 2017:

DELETE one (1) Administrative Clerk Legislature (RPT), JG 8, Position Number 51012804, and one (1) Administrative Clerk Legislature (PT), JG 8, Position Number 51012803, effective July 8, 2017; and

REPLACE with one (1) Administrative Clerk (Legislature) Full-Time, JG 8, to Fund Center 100, Cost Center 1005017 District Office Staff, effective July 8, 2017; and be it further

RESOLVED, that the filling of the position be in accordance with Erie County Budget Resolution Number 81, as well as all Personnel Department policies; and be it further

RESOLVED, that the Clerk of the Legislature is directed to forward certified copies of this resolution to the Director of the Division of Budget, Management & Finance and the Commissioner of the Department of Personnel.

MR. LORIGO moved to approve the item. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 31 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 13-4 from LEGISLATOR LORIGO. Re: Opposition to NYS Legislation Banning Minors from Playing Bingo at Bingo Halls

RESOLUTION NO. 156

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR LORIGO**

WHEREAS, a New York State law amending General Municipal Law § 486 went into effect July 9th, 2017 banning anyone under the age of 18 from playing bingo at bingo halls; and

WHEREAS, previously there was no lower age limit for minors to join in at bingo halls, as long as they were accompanied by an adult; and

WHEREAS, according to some reports, even though children can't play, if they come into a bingo hall they still have to buy an admission board; and

WHEREAS, this additional cost for parents or grandparents, who want to spend time with their children or grandchildren, could be a deterrent that affects the overall attendance of bingo nights at community halls, churches and other similar organizations trying to raise money for good causes; and

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body is in opposition to NYS legislation banning minors from playing bingo at bingo halls; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Cuomo, the Western New York delegation of the NYS Legislature, and any other party deemed necessary and proper.

MR. LORIGO moved to approve the item. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 32 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-37 from the DISTRICT ATTORNEY. Re: Crimes Against Revenue Program Grant Budget - Position Changes & Budget Revision

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 33 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-38 from the COUNTY EXECUTIVE. Re: Akron Falls Park – Proposal for Engineering Service for Pedestrian Overlook

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 34 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-39 from the COUNTY EXECUTIVE. Re: Department of Health – Authorization to Contract with United Healthcare

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 35 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-40 from the COUNTY EXECUTIVE. Re: Department of Central Police Services – Authorization for Professional Services

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 36 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-41 from LEGISLATOR MORTON. Re: Letter to County Executive Regarding the Status of Como Lake

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 37 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-42 from the COUNTY EXECUTIVE. Re: Bethlehem Steel Shoreline Trail - Amendment to Preliminary Design Agreement

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 38 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-43 from the COUNTY EXECUTIVE. Re: Verizon Business Services Contract

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 39 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13D-6 from the DEPARTMENT OF BUDGET & MANAGEMENT. Re: Budget Monitoring Report for Period Ending May 2017

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 40 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13D-7 from the DEPARTMENT OF BUDGET & MANAGEMENT. Re: 2017 Mid-Year Budget Hearing Data

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 41 – MR. HARDWICK presented the following resolution and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, CHAIR MILLS and MR. MORTON. NOES: MR. LORIGO and MR. RATH. (AYES: 9; NOES: 2)

CARRIED.

RESOLUTION NO. 157

RE: ECC - Authorization to Enter into
Contract with IBM for Software
Implementation
(COMM. 13E-1)

WHEREAS, the Erie Community College Board of Trustees has approved IBM as a vendor following a request for proposal process; and

WHEREAS, IBM was chosen as the source for implementing the Workday Enterprise Resource Planning software providing administrative functions supporting Human Resources, Payroll, Finance and Student Services; and

WHEREAS, it is requested that IBM be approved for this multi-year project. The 2017-18 cost is \$1,095,708. All unused funds will be released after project completion; and

WHEREAS, the Erie County Legislature must approve contracts in excess of \$50,000 for the College; and

WHEREAS, Erie Community College has adequate funds available to fund this expense;

NOW, THEREFORE, BE IT

RESOLVED, that Erie Community College is hereby authorized to obtain the Erie County Legislature's approval to award a contract to IBM; and be it further

RESOLVED, that the source of funds available to pay for this expense is available in ECC's fund balance accounts and is hereby authorized for expenditure by ECC's Board of Trustees; and be it further

RESOLVED, upon approval of this expenditure by the Erie County Legislature, the President of Erie Community College or his designee, is authorized to enter into a contract with IBM as outlined above; and be it further

RESOLVED, that the Erie County Legislature hereby approves awarding a contract to IBM for the purpose of implementing the Workday Enterprise Resource Planning system for all major administrative functions that include: Human Resources, Payroll, Finance, Admissions, Financial Aid, Registration, and all other student services; and be it further

RESOLVED, the President or his designee is authorized to enter a contract with IBM for the above-mentioned services; and be it further

RESOLVED, that copies of the resolution be forwarded to the Erie County Executive, the President of ECC, and the Chairman of the ECC Board of Trustees.

Item 42 – (COMM. 13E-2) ECC - 2017 City Campus - Skylight Reconstruction & Roof Repairs

Item 43 – (COMM. 13E-3) ECC - 2017 Bretschger Hall - HVAC System Replacement & Upgrades - Phase 1

Item 44 – (COMM. 13E-4) Engineering Services for Bridge & Culvert Replacement Projects - Bridge NY & Federal Aid Projects - Various Towns

Item 45 – (COMM. 13E-5) Large Culvert & Pedestrian Bridge Condition Inspections - Award of Consultant Agreement - Various Towns

Item 46 – (COMM. 13E-6) GIS Software & Technical Services - GIS Needs Assessment Report

Item 47 – (COMM. 13E-7) Rath Building - 2017 Department of Social Services 7th Floor Renovations

Item 48 – (COMM. 13E-8) EC Medical Examiner's Office - Toxicology Laboratory Renovations - Phase 4

Item 49 – (COMM. 13E-9) Como Park Lake Dam Low Level Outlet Repair - Engineering Services - Town of Lancaster

Item 50 – (COMM. 13E-10) Black Rock Canal Park - Security Camera Transfer

Item 51 – (COMM. 13E-11) Retaining a Consultant to Perform a Market Analysis and Feasibility Study for a New or Expanded Buffalo Niagara Convention Center

Item 52 – (COMM. 13E-12) 2017 Countywide Hazardous Materials, Design and/or Sample Testing & Air Monitoring

Item 53 – (COMM. 13E-13) Ellicott Creek Park - 2017 Reconstruction & Repair Shelter Nos. 6, 7 & 9

Item 54 – (COMM. 13E-14) EC Youth Detention Facility - 2016 Parking Lot Expansion & Paving

The above thirteen items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CHAIR MILLS

Item 55 – (COMM. 13E-15) Letter to NYS Governor Regarding Recommendation to NFTA Board of Commissioners

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 56 – (COMM. 13E-16) Intermunicipal Agreement Between Village of Blasdell and EC Sewer District No. 3 - Additional Paving Work Under Contract No. 17-A

Item 57 – (COMM. 13E-17) EC Sewer District No. 6 - Appointment to Board of Managers

Item 58 – (COMM. 13E-18) WNY Stormwater Coalition - Gap Analysis & Mapping Project

Item 59 – (COMM. 13E-19) Lake Erie Watershed Protection Alliance Coordinator Funding and Position

Item 60 – (COMM. 13E-20) Application for NYS Climate Smart Communities Funding - Climate Change Vulnerability Assessment and Adaption Planning

Item 61 – (COMM. 13E-21) EC Sewer District Sewer Agency Reports & Public Hearings

The above six items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 62 – (COMM. 13E-22) Levy of 2017-2018 School Tax Budgets

Item 63 – (COMM. 13E-23) BENLIC Pre-emptive Bid Powers and Subsequent Repayment Agreement with EC

Item 64 – (COMM. 13E-24) Department of Social Services - Lease Agreements - 10-12 Fountain Plaza and 460 Main St Properties

Item 65 – (COMM. 13E-25) Letter Regarding State Legislature Action Concerning Sales Tax Extender Legislation

The above four items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 66 – (COMM. 13E-26) 2017 RAN Resolution

Item 67 – (COMM. 13E-27) Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Mar., Apr. & May 2017

Item 68 – (COMM. 13E-28) Opposition to NFTA Ridesharing Fee

The above three items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 69 – (COMM. 13E-29) Employee Training Services Contract

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ACTING COUNTY CLERK

Item 70 – (COMM. 13E-30) Increase in Change Making Fund - Registrar Cashier Drawers

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 71 – (COMM. 13E-31) Department of Health - Authorization to Enter into Contract with PSA HealthCare

Item 72 – (COMM. 13E-32) Department of Health - Authorization to Accept Donated Funds - Opioid Epidemic Task Force

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 73 – (COMM. 13E-33) Department of Social Services - Contract with Buffalo Niagara Convention Center to Rent Space for EC Poverty Summit

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 74 – (COMM. 13E-34) Department of Social Services - Employee Education & Training Program

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 75 – (COMM. 13E-35) Department of Homeland Security and Emergency Services - Software Consulting Services

Item 76 – (COMM. 13E-36) Youth Services - Educational Service Provider at Erie Secure Youth Detention

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 77 – (COMM. 13D-1) 2017 Mid-Year Budget Hearing Schedule

Received, filed and printed.

The following is a schedule of upcoming legislative meetings to be held in the Chambers of the Erie County Legislature, located at 92 Franklin St., 4th Floor, Buffalo, NY 14202

FINANCE & MANAGEMENT – Informational Meetings
2017 Mid-Year Budget Hearings

TUESDAY, JULY 18

9:15 am - 9:45 am	Administration/Budget and Management
9:45 am - 10:15 am	Environment & Planning
10:15 am - 10:45 am	Central Police Services
10:45 am - 11:15 am	Probation
11:15 am - 11:45 am	Homeland Security & Emergency Services
11:45 am - 12:15 pm	County Clerk
1:15 pm - 1:45 pm	Sheriff
1:45 pm - 2:15 pm	Personnel and Labor Relations
2:15 pm - 2:45 pm	Comptroller
2:45 pm - 3:15 pm	Health Department/Emergency Medical Services
3:15 pm - 3:45 pm	County Attorney

WEDNESDAY, JULY 19

9:15 am - 9:45 am	Board of Elections
9:45 am - 10:15 am	Parks, Recreation and Forestry
10:15 am - 10:45 am	Senior Services
10:45 am - 11:15 am	Buffalo & Erie County Public Library
11:15 am - 11:45 am	Information and Support Services
11:45 am - 12:15 pm	Purchase

12:15 pm - 12:45 pm
12:45 pm - 1:15 pm

District Attorney
Department of Public Works

THURSDAY, JULY 20

9:30 am
10:00 am

Reserved for Call Backs
Social Services and Youth Services

All other Budget Consumption Reports not listed above are available here.
Additional Mid-Year Budget Hearing Data, including Vacancy Reports by Department and Position Control Reports by Department, is available here.

Item 78 – (COMM. 13D-2) Comments Received Regarding LL Intro. 9-1 (2017)

Item 79 – (COMM. 13D-3) NYS DEC Documents Received

The above two items were received and filed.

FROM THE DEPARTMENT OF LAW

Item 80 – (COMM. 13D-4) Local Law Filing for Local Law 2 (2017)

Received and filed.

FROM REAL PROPERTY TAX SERVICES

Item 81 – (COMM. 13D-5) 2017 Annual Report

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS DEPARTMENT OF PUBLIC SERVICE

Item 82 – (COMM. 13M-1) Notice of Public Comment Period Regarding Proposed Increase to Electric and Gas Delivery Rates

Received and filed.

FROM THE NFTA

Item 83 – (COMM. 13M-2) May 25, 2017 Board Minutes

Received and filed.

ANNOUNCEMENTS

Item 84 – CHAIR MILLS announced the Mid-Year Budget Hearings schedule for July 18-20, 2017 has been distributed.

Item 85 – CHAIR MILLS announced the committee schedule for July 20, 2017 will be distributed.

Item 86 – CHAIR MILLS announced the next regularly scheduled legislative session is July 27, 2017.

MEMORIAL RESOLUTIONS

Item 87 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Peter I. Certo and Sylvia A. Galas.

Item 88 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Brian J. “Duke” Burke, Michael G. McGuire and Kevin James McCue.

Item 89 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Patricia A. Haug and Nicholas Alan Warden.

Item 90 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Kelly (McGuire) Africano, Michael G. McGuire and Richard D. Yellen.

Item 91 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Nicholas L. LoCicero.

ADJOURNMENT

Item 92 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, July 27, 2017 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, July 27, 2017 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE